

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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David E. Patton
Executive Director

MEMO ENDORSED

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

December 23, 2022

VIA ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDS SDNY
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DATE FILED: <u>12/26/2022</u>

**Re: United States v. Hosame Dergasly
22 Cr. 241 (LAK)**

Dear Judge Kaplan:

With the consent of the Government, I write to request a brief 30-day adjournment of Mr. Dergasly's sentencing hearing, and the accompanying deadlines, to the week of February 13. This is the defense's first request for an adjournment of sentencing.

Mr. Dergasly is currently scheduled for sentencing on January 11, 2022. Defense submissions are due December 28. The defense requests a brief adjournment to gather records from Mr. Dergasly's recent hospitalization last month at the Brooklyn Hospital. These records were requested immediately after his release from the hospital but have not yet been provided. Moreover, an adjournment will allow the defense's mitigation expert to complete his evaluation of Mr. Dergasly. Finally, the defense received a draft of the presentence report on December 23, 2022. Defense objections to the report are to be submitted by January 6, 2023. A brief adjournment would allow all parties to receive a copy of the final presentence report in advance of both sentencing and sentencing submission deadlines.

As noted above, the Government consents to this request. Both parties are available the week of February 13.

Respectfully submitted,

/s/ Zawadi S. Baharanyi, Esq.

Zawadi S. Baharanyi, Esq.
Assistant Federal Defender
917-612-2753

Granted.

cc: AUSA Jacob Gutwillig.

SO ORDERED.

/s/ Lewis A. Kaplan (jhs)
Hon. Lewis A. Kaplan, USDJ

Dated: 12/26/2022